

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 92-193-T - ORDER NO. 92-437 ✓
JUNE 23, 1992

IN RE: The matter of the failure of holders of)
Certificates of Public Convenience and)
Necessity listed on the attached Append-) ORDER
dix to file with the Public Service Com-)
mission evidence of Insurance.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 92-268 in the instant Docket, which required all motor vehicle carriers listed in the Appendix thereof to appear before the Commission on Tuesday, May 26, 1992, at 11:15 a.m. to show cause why the Commission should not revoke and cancel their Certificates for failure to file evidence of insurance.

The information upon which the Commission based Order No. 92-268 was developed by the Licensing Department of the Transportation Division through a procedure involving periodic inspections of the Commission's files and records. From this data, Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law requiring filing of evidence of insurance (Appendix of Order No. 92-268).

The Transportation Division staff notified all of the carriers listed in the Appendix of Order No. 92-268 that because of their failure to file required insurance, they were not in compliance "with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder." Subsequently, on April 22, 1992, the Commission issued Order No. 92-268 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

A public hearing regarding this matter was held on Tuesday, May 26, 1992, at 11:15 a.m. Gayle B. Nichols, Staff Counsel, represented the Commission Staff. None of the Respondents named in the Appendix of Order No. 92-268 appeared at the hearing. Sherri Land of the Transportation Division of the Commission testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be, and hereby are, revoked and canceled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Motor Vehicle Carrier Law [S.C. Code Ann., Section 58-23-10 et seq. (1976)].

The Rule to Show Cause is hereby dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and canceled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and canceled by this Order, are null and void.

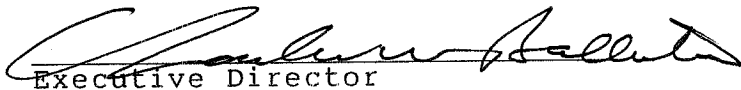
3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)